



U.S. Department of Justice

Executive Office for United States Attorneys

Personnel Staff

*Suite 7.800, 3CON Building
175 N Street, NE
Washington, DC 20530*

*(202) 252-5300
FAX (202) 252-5301*

May 24, 2018

Ms. Kate K. Smith
Assistant United States Attorney
Eastern District of Kentucky
260 West Vine Street
Lexington, KY 40507

Dear Ms. Smith:

You are hereby appointed as a Special Attorney to the United States Attorney General pursuant to 28 U.S.C. § 515. Subject to the terms and conditions set forth below you are authorized to file informations and to conduct in the Southern District of West Virginia any kind of legal proceedings, civil or criminal, including Grand Jury proceedings and proceedings before United States Magistrates which United States Attorneys are authorized to conduct.

This appointment is made subject to the following terms and conditions, with which we ask that you express your concurrence by signing this letter and returning it to me in the enclosed envelope:

1. This appointment is effective May 24, 2018, not to exceed May 23, 2019, unless extended;
2. With regard to all matters handled by you as a Special Attorney, you will report to and act under the direction of the United States Attorney General or her delegate, the United States Attorney for the Eastern District of Kentucky;
3. During and after the term of your appointment, you will be subject to all laws, regulations and policies applicable to employees. These include, but are not limited to, the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. § 2635 et seq., Federal conflict of interest statutes 18 U.S.C. §§ 207, 208, and 209; laws restricting the disclosure of certain confidential governmental information, 18 U.S.C. § 1905 and the Freedom of Information and Privacy Acts, 5 U.S.C. § 552 and § 522a; and political activity restrictions, 5 U.S.C. § 7321 et seq.;

4. You will serve without compensation other than that which you now receive as an employee of the Department of Justice; and
5. Your appointment may be terminated at any time without cause or notice.

Please execute the enclosed Appointment Affidavit which contains the oath of office and return it to Nicole West, SAUSA Program Assistant, Operations Division within fourteen (14) days. This appointment is effective upon the execution of the required oath of office.

You must file a copy of this letter with the Clerk of the District Court to evidence this appointment.

Sincerely,



Valarie D. Mulcahy
Assistant Director
Human Resources Staff
Operations Division

Enclosure

The foregoing terms and conditions
are hereby agreed to and accepted:



Kate K. Smith

APPOINTMENT AFFIDAVITS

Special Attorney
(Position to which Appointed)

May 24, 2018
(Date Appointed)

Department of Justice
(Department or Agency)

US Attorney's Office
(Bureau or Division)

Eastern District of Kentucky
(Place of Employment)

I, Kate K Smith, do solemnly swear (or affirm) that--

A. OATH OF OFFICE

I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

B. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

C. AFFIDAVIT AS TO THE PURCHASE AND SALE OF OFFICE

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

Kate K Smith
(Signature of Appointee)

Subscribed and sworn (or affirmed) before me this 25 day of May, 2018

at Lexington
(City)

KY
(State)

(SEAL)

Robert M. Duncan Jr.
(Signature of Officer)

Commission expires _____
(If by a Notary Public, the date of his/her Commission should be shown)

U.S. Attorney - EDKY
(Title)

Note - If the appointee objects to the form of the oath on religious grounds, certain modifications may be permitted pursuant to the Religious Freedom Restoration Act. Please contact your agency's legal counsel for advice.